

UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA

NOTICE THAT ATTORNEYS WILL BE PERMITTED TO FILE BANKRUPTCY PETITIONS AND OPEN CASES STARTING APRIL 15, 2004.

1. Effective April 15, 2004, all attorneys who have an ECF filing password can be granted access to be able to file a petition and open the case on ECF in place of filing the petition on paper. An attorney will be able to file Voluntary Chapter 7, 11 or 13 petitions and Involuntary Chapter 7 or 11 petitions in all three offices, Phoenix, Tucson and Yuma. The office will be automatically determined by the county designated on the petition. The following counties will be filed in the designated office.

PHOENIX

Maricopa
Apache
Navajo
Gila
Coconino
Yavapai

TUCSON

Cochise
Graham
Greenlee
Pima
Pinal
Santa Cruz

YUMA

Mohave
LaPaz
Yuma

2. To obtain access to case opening so that you can open the case and e-file the petition, you will need to provide a credit card authorization (if you do not already have one on file with the court) and successfully open a case in the test site at <https://ecf-test.azb.uscourts.gov/>. After you have filed a test case and provided a credit card authorization, to receive access to case opening, call Sue Christensen at 602-640-5800, extension 242.

3. A credit card authorization must be provided. The court will charge that credit card number for the filing fees for those cases that are e-filed. Your credit card will be charged the next business day for all cases you have e-filed the previous business day. Cases can be e-filed on the weekend and the filing fees for those cases will be charged on Monday with the cases filed from Friday. Your credit card will also be charged for filing fees incurred for other documents you electronically file such as amendments in all cases. Please be sure to insert the starting date on the credit card authorization form. Your credit card will only be charged for filings made on or after the start date. For filings made prior to that start date, continue to send in your payment by check. (Online payment of filing fees during the filing process is scheduled to be available June 1, 2004, which will replace the credit card authorizations.)

4. After you have e-filed a case, the only piece of paper that needs to be sent to the court is the ECF Declaration that contains the original signatures of the debtor(s). The most recent version of that declaration contains a verification of the social security number so no separate Statement of Social Security Number will be needed for those cases you e-file. (When you e-file the case, the debtor(s)' full SSN's is input into the court's file, though only the last 4 digits can be viewed by the public.)

Please be careful not to e-file the SSN Statement with the petition or schedules, because once it is filed, the clerk's office will not be able to remove it from the docket.

5. Since you are required by the ECF Interim Operating Order to keep an original signature document, you will need to print the petition, schedules and statements, have the debtor(s) sign them and retain them in your records. The petition, schedules and statements filed with the court in electronic form should include /s/ John Doe, etc, on the signature lines to indicate that the debtors have in fact signed the paper documents to be kept at your office. No paper copies are needed for the court. You are no longer required to provide a paper copy to either the case trustee or the US Trustee, though some case trustees appreciate being provided a paper copy.

6. If filing a Chapter 13 case and you are ready to file the plan when the petition is filed, the plan must be filed as a separate filing with its own docket number.

7. If you are not filing all the required schedules and statements with the petition, then, depending on the bankruptcy software you are using, you may not be able to use the one button filing feature.

BestCase. This software, according to their representative, will allow you to use the one button filing feature to file the petition, without the schedules. When you do later file the schedules and statements, you will not be able to use the one-button filing feature because the BestCase software will have placed the case number issued on the petition in your computer and if you attempt to use the one button filing, you will get a warning that the case already exists.

Bankruptcy 2004. This software will not permit you to use the one button filing feature to file and open the case unless you are filing all schedules and statements with the petition. You will need to manually open the case, for which we have instructions.

EZ-Filing. This software will allow a case opening using the one button filing as long as the Voluntary Petition is included in the documents selected for filing. The one button filing, however, is best utilized and designed for complete cases. One button filing is not available for submitting deficient documents on previously filed cases. You can always manually open a case using the instructions provided by the court.

Under any software, if you are not filing the schedules and statements with the petition, when you do file them later, do not forget to also upload the creditors using Creditor Maintenance. In any event, if you have already filed the petition and have a case number, do not open a new case when filing the schedules and statements.